

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Sr. No.103

**CWP-17257-2020 (O&M)
Date of Decision: 16.10.2020**

Dalip Singh and another

...Petitioners

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Ms. Gursharan K Mann, Advocate,
for the petitioners.

ARCHANA PURI, J.(ORAL)

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

The present petition has been filed for issuance of a writ in the nature of mandamus thereby directing respondent no.3 to conduct demarcation of the land of the petitioners in view of the application dated 5.10.2020 (Annexure P-5), regarding which the petitioners had already deposited fees.

It is the claim of the petitioners that they are owners of the land as detailed in paragraph no.2 of the petition, relating to which, demarcation was done by respondent no.3 on the application so filed by them. Pursuant to the same, demarcation report was submitted. Demarcation was done by installing pickets in the presence of the concerned persons and the whole process had undergone peacefully. However, on 11.6.2020 some persons from adjoining lands namely Sarabjit Singh, Sukhwinder Singh, Gurbhej Singh, Narinder Singh, Hira Singh and other had uprooted the pickets installed by the revenue officials during demarcation conducted on 5.6.2020. Thereupon, the petitioners had again initiated the process of

conducting of the demarcation and the date fixed therefore was 19.06.2020.

However, apprehending danger to the life and liberty to the petitioners, they moved an application dated 18.06.2020 before IG Border Range, Amritsar, which is Annexure P-3. However, no action has been initiated thereupon.

It is also submitted by learned counsel for the petitioners that no action is being taken on the subsequent application filed for conducting demarcation, even though the fee has already been deposited.

Notice of motion.

Ms. Monika Chhibber, Senior DAG, Punjab accepts notice on behalf of the respondents-State.

The application has been filed by the petitioners to IG Border Range, Amritsar for providing of security of life, which has been marked to concerned SSP. However, it is submitted that no action has been initiated upon the same. Since the demarcation is to be conducted by the revenue authorities as such, it is submitted that let the demarcation be conducted by respondent no.3, relating to which, an application dated 5.10.2020, which is Annexure P-5 has already been filed.

In view of the above, respondent No.3- Tehsildar, Dera Baba Nanak, District Gurdaspur, is hereby directed to conduct demarcation of the land, as stated in the application dated 5.10.2020 (Annexure P-5). However, he shall also give prior information relating to conducting of the demarcation to SSP, Batala, who is respondent no.4, so that necessary police assistance, if so, required, is also provided.

Accordingly, the present petition stands disposed of.

16.10.2020
dinesh

(ARCHANA PURI)
JUDGE

Whether speaking Yes
Whether reportable? No